

6 O'CLOCK, P. M.

Present, Messrs. Kilgour, Welch, Boon, Wickes, Gantt, Maxcy, Linthicum, Beckett, Chapman, Garner, Rogerson, Edelen, Worthington, Shower, Turner, M'Culloh, Goldsborough, Banning, Spencer, Millis, Teackle, B. I. Jones, Brown, Ennalls, Brohawn, Douglas, Eccleston, Thomas, Grubb, Gilpin, Harlan, Beali, Duvall, Ridgaway, Hopper, Stevens, Sudler, Parker, S. R. Smith, Mitchell, Cockey, Barnes, Sappington, Farquhar, Montgomery, Williams, Hall, Potter, Keene, Hughlett, Howard, Tyson, Merrick, Kershner, Jacques, Kennedy, Lansdale, Lee, Willson, Perry, Reid, Blair.

Mr. Duvall presents a petition from Charlotte Boswell, for support; referred to the standing committee on that subject.

Mr. Duvall delivers the following report:

The committee to whom was referred the petition of Captain John C. Moore, of Prince-George's county, praying to be compensated for expenses incurred in the equipment and repairs of the arms and accoutrements belonging to his company, have had the same under their consideration, and beg leave to recommend the adoption of the following resolution:

Resolved, That the governor and council be, and they are hereby authorised and requested, to examine the claim of Captain John C. Moore, for the repair of arms, and equipment of the accoutrements of his company, and to make such allowance as they may consider him entitled to.

Which was read.

Mr. Hall delivers the following report:

The committee to whom was referred "the petition of sundry inhabitants of Harford county, praying that an act may pass to prevent fishermen from the state of Pennsylvania from fishing in the waters of Swan-creek, in said county," have had the same under their serious consideration, and submit the following report:

The constitution of the United States declares that "the citizens of each state shall be entitled to all privileges and immunities of citizens in the several states;" and that congress alone shall have the power "to regulate commerce among the several states." Hence it would seem, that if the citizens of Maryland, generally, are free to trade, or fish, in the tide waters of Swan-creek, the same freedom, and the like privilege, extend to the citizens of Pennsylvania, and of any other state; but none are at liberty, in exercising that privilege, either to transgress the rights of individuals, by trespassing on the shores and soil which are held as private property, or to do aught that may be considered a public nuisance. It is not alleged by the petitioners, that the fishermen complained of, have committed any such offences, nor that they have ever attempted to catch fish along the shores, or to use the same for the purpose of hauling the seine, or landing thereon, without having asked the leave, and obtained the consent, of the lawful owners. In either case, the courts of justice would afford to a party injured a proper remedy for his grievance. From information, however, in the possession of the committee, it appears that several of the proprietors, lawfully possessed of fishing shores along the said creek, are in the practice of renting out their fisheries to the highest bidders, without enquiring whether the tenants be citizens of this state, or of an adjoining state. In other words, instead of catching, transporting and selling fish themselves, they have bargained with other persons to do it